

**Enrolled Minutes of the Eightieth Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Meeting
Monday, January 14, 2019**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, January 14, 2019 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.
2. The Town Council discussed with the Police Chief and the Building Commissioner the approach for snow parking prohibition enforcement for the weekend, in which heavy snow is anticipated.

The study session ended at 7:05 O'clock p.m.

Regular meeting. The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, January 14, 2019 at 7:07 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Mark A. Herak presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Esq., Town Attorney; Mark Knesek, Operations Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; Kathy DeGuilio-Fox, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

Also present: Susan Murovic of the Advisory Board of Zoning Appeals; Larry Kondrat of the Board of Waterworks Directors; and Ed Dabrowski IT Director (Contract) were also present.

Guests: Robin Carlascio of the Idea Factory was also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 26 December 2018 were approved by general consent.

Special Orders:

1. Election of the **Town Council President** for 2019 pursuant to § 2.05.040 of the Highland Municipal Code.

Councilor Vassar moved that Steve Wagner be elected Town Council President. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Councilor **Steve Wagner** was elected 68th President of the Town Council. Councilor Herak then passed the gavel to Councilor Wagner and he assumed the chair.

2. Election of the **Town Council Vice President** for 2019, pursuant to § 2.05.040 of the Highland Municipal Code.

Councilor Vassar moved to elect Councilor Bernie Zemen as Vice President. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives, the motion passed. Councilor Bernie Zemen was elected Vice President.

Staff Reports: The following staff reports were received and filed.

• **Building & Inspection Report for December 2018**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	5	0	5	\$802,034.00	\$11,320.00
Signs:	6	0	6	\$61,627.00	\$2,447.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	39	39	0	\$269,153.00	\$5,527.00
Garages:	1	1	0	\$23,448.00	\$519.50
Sheds:	1	1	0	\$5,600.00	\$144.50
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences:	4	3	1	\$13,845.00	\$465.50
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	0	0	0	\$0.00	\$0.00
Miscellaneous	14	14	0		\$1,883.00
TOTAL:	70	58	12	\$1,175,707.00	\$22,307.00
Electrical Permits	13	9	4		\$1,246.00
Mechanical Permits	11	7	4		\$979.00
Plumbing Permits	6	4	2		\$729.75
Water Meters	1	0	1		\$230.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	7	4	3		\$959.75

December Code Enforcement:

Investigations: 50
 Citations: 2
 Warnings: 50

December Inspections:

Building: 25 Electrical: 12 Plumbing: 09 HVAC: 07
 Electrical Exams: 3

• **Fire Department Report for December 2018**

<u>Type of Call</u>	<u>Month</u>	<u>2nd half of year</u>
General Alarms	11	82
Paid Still Alarms	45	227
Still Alarms	7	38
Total Alarms:	63	347

• **Workplace Safety Report for November 2018**

There were two workplace incidents to report in November. The following report was filed.

Department	Injuries this Month	Year to Date 2018	Total in 2017	Restricted Days 2018	Lost Workdays This Year (2018)	Restricted Days Last Year (2017)	Lost Workdays Last Year (2017)
Parks	0	3	0	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	3	6	0	0	0	365
Street	1	2	0	0	0	0	0
Water & Sewer	1	4	2	80	46	0	0
Maint.	0	1	2	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	2	13	10	80	46	0	365

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

• **Workplace Safety Report for December 2018**

There was one workplace incident to report in December. The following report was filed.

Department	Injuries this Month	Year to Date 2018	Total in 2017	Restricted Days 2018	Lost Workdays This Year (2018)	Restricted Days Last Year (2017)	Lost Workdays Last Year (2017)
Parks	1	4	0	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	3	6	0	0	0	365
Street	0	2	0	0	0	0	0
Water & Sewer	0	4	2	80	46	0	0
Maint.	0	1	2	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	1	14	10	80	46	0	365

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

• **Statutory Boards and Commissions**

Executive Appointments (May be made in meeting or at another time)

1. **Municipal Plan Commission** (1) appointment to be made by Town Council President. *(Note: Currently held by Mario Martini.) (R)*

The Town Council President announced his reappointment of **Mario Martini**, 9428 Erie Street, and Highland to the Plan Commission.

2. **Advisory Board of Zoning Appeals.** (1) Citizen member appointment to be made by Town Council President. *(Note: Currently held by Susan Murovic)*

The Town Council President announced his reappointment of **Susan Murovic**, 9214 Grace Street, Highland to the Advisory Board of Zoning Appeals.

3. **Redevelopment Commission.** (3) appointments to be made by the Town Council President. *(Note: current appointees are Bernie Zemen, Steven Wagner, and Michael Griffin.)*

The Town Council President announced his reappointment of **Bernie Zemen**, 2736-43rd Street, Highland; **Steven Wagner**, 3244 Maple Drive, Highland and **Michael W. Griffin**, 2911-99th Street, Highland to the Highland Redevelopment Commission.

4. **Waterworks Board of Directors:** (1) appointment to be made by Town Council President. *(Note: Currently held by Curt Schroeder (D)). Current composition of the board is two Republicans, Three Democrats. No more than three of any one party under state law.*

The Town Council President announced his reappointment of **Curt Schroeder**, 8100 Johnston Street, Highland to the Board of Waterworks Directors.

5. **Board of Sanitary Commissioners.** (1) appointment to be made by the Town Council President. *(Currently held by Rex Burton (R)). Current composition of the board is three Republicans, two Democrats. No more than three of any one party under state law.*

The Town Council President announced his reappointment of **Rex Burton**, 2712 40th Place, Highland to the Board of Sanitary Commissioners.

Regional Statutory Appointments.

6. **Northwestern Regional Planning Commission (NIRPC).** (1) No action necessary unless a change is desired. Town Council President is appointment authority. *(Current serving: Michael W. Griffin.)*

The Town Council President indicated that he did not desire to make any change.

7. **Lake County Convention and Visitors Bureau Board of Directors.** (1) Appointment by Town Council President. (NOT DUE UNTIL JUNE 30 2019) *(Currently serving Christine Cash) Appointing authority must give sole consideration to individuals who are knowledgeable about or employed as executives or managers in Hotel, Motel, Banking, Real Estate and hospitality. Cannot hold an elected or appointed political office.*

The Town Council President announced his reappointment of **Christine Cash**, 9515 Kennedy Avenue, Highland to the Lake County Visitors and Convention Bureau Board of Directors.

Home Rule Commissions or Boards

8. **Community Events Commission.** Town Council President appointment. (1) Multi-year position. (Note: Currently serving is Liz Breslin)

The Town Council President announced his reappointment of **Liz Breslin**, 8539 Henry Street, Highland to the Community Events Commission.

9. **Tree Advisory Board.** (4) Appointments to be nominated by the Town Council but appointed by the Town Council President. (Note: Current terms expiring, Richard Underkofler, Constance Bahena Sherbondy, and Terry Krooswyk. In addition, a vacancy created by resignation of Paul Graegin) All terms three years with the vacancy a term of the unexpired term of Mr. Graegin.

Councilor Zemen moved the nomination, seconded by Councilor Kuiper of Richard Underkofler, 9205 Idlewild Drive, Highland; Constance Bahena Sherbondy, 3517 Franklin Street, Highland; Terry Krooswyk, 9035 Orchard Drive, Highland and Judy Vaughn, 3817 Jewett Street, Highland to the vacancy left by the resignation of Paul Graegin. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The persons named were formally nominated.

Having acknowledged the nominations, the Town Council President then reappointed **Richard Underkofler**, 9205 Idlewild Drive, Highland; **Constance Bahena Sherbondy**, 3517 Franklin Street, Highland; **Terry Krooswyk**, 9035 Orchard Drive, Highland and appointed **Judy Vaughn**, 3817 Jewett Street, Highland to serve the unexpired term of Paul Graegin.

10. **Committee and Liaison Assignments.** Assignments made by Town Council President.

The Town Council President announced the following assignments:

Councilor Bernie Zemen: Chamber of Commerce Liaison; IT Liaison; Board of Waterworks Directors, Liaison; Community Events Commission, Liaison

Councilor Dan Vassar: Park and Recreation Board Liaison.

Councilor Mark Herak: Town Board of Metropolitan Police Commissioners Liaison; Board of Sanitary Commissioners, Liaison
Budget Committee Chairman

Council President: Advisory Board of Zoning Appeals Liaison; Town Executive (I.C. 36-1-2-5-(4); I.C. 36-5-2-2; I.C. 36-5-2-7); Board of Trustees of the Police Pension Fund, Chair (By law)

Councilor Konnie Kuiper: Fire Department, Liaison.

Legislative Appointments

1. **Park and Recreation Board.** (1) appointment to be made by the Town Council. (Note: Current appointee is Nick Russo (D))

Councilor Vassar moved to reappoint **Nick Russo**, 9341 Idlewild Drive, Highland to the Park and Recreation Board. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Russo was reappointed.

2. **Town Board of Metropolitan Police Commissioners.** (2) appointments to be made by the Town Council. (Note: Currently appointees are Larry Moes (R) and Michael Danko (R)) (Current composition for these five citizen positions is three democrats and two republicans)

Councilor Herak moved to reappoint **Larry Moes**, 2904 Cough Avenue, Highland and **Michael Danko**, 3501 Maple Place, Highland, to the Town Board of Metropolitan Police Commissioners. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Moes and Mr. Danko were reappointed.

3. **Redevelopment Commission.** (2) appointments to be made by the Town Council.
(Note: current appointees are Mark Herak and Dan Vassar.)

Councilor Zemen moved to reappoint **Mark A. Herak**, 9031 Hess Drive, Highland and **Dan Vassar**, 9148 Cottage Grove Avenue, Highland, to the Highland Redevelopment Commission. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Herak and Mr. Vassar were reappointed.

Regional Statutory Appointments

4. **Lake County Solid Waste Management District Board of Directors.** (1) No action necessary unless a change is desired. *(Note: Currently serving Bernie Zemen.) Must be a member of the Town Council. Term is co-extensive with term on council unless legislative body acts otherwise.*

It was noted that Councilor Bernie Zemen continues to serve on the Lake County Solid Waste Management District Board of Directors.

Unfinished Business and General Orders:

1. **Proposed Ordinance No. 1693:** An Ordinance To Further Amend Chapter 3.10 of the Code Of Ordinances for the Town Of Highland, State Of Indiana, All Pursuant To IC 36-1-5 et seq. *(This amendment proposes to add language added by amendments to the enabling law, IC 36-5-4-12, adding online payment processing services, and adding clarifying language regarding method of payment, as previously authorized by the Town Council in Chapter 3.25)*

Councilor Herak introduced and moved the consideration of Ordinance No. 1693 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1693 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted considered at the same meeting of its introduction.

ORDINANCE No. 1693
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE To Further AMEND CHAPTER 3.10 OF THE CODE OF ORDINANCES For The TOWN Of HIGHLAND, STATE Of INDIANA, ALL PURSUANT TO IC 36-1-5 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications not confined to any particular Title, Article or Chapter but nevertheless desirable to further improve and perfect the Code; and

Whereas, The Town Council is reliably advised that Chapter 3.10 of the Municipal Code styled as Accounts Payable Payments in Advance of Formal Allowance, is in need of some changes to reflect emerging needs encountered since its initial adoption and to make other changes to allow for certain administrative efficiencies or language clarifications;

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt the several modifications to Chapter 3.10 to still further improve and perfect the Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 3.10.010 (A) of the Highland Municipal Code be hereby amended to include a new subdivision, to be styled Section 3.10.010 (A)(28) , which shall read as follows:

3.10.010 Authorized payments by the town Clerk-Treasurer.

(A) Authorized Expenses. The town council approves and authorizes payments to be made by the Clerk-Treasurer in advance of formal allowance by the town council or other board or commission of jurisdiction for the following types of expenses:

(28) **Payments that must be paid because of emergency circumstances.**

(29) **Payments made for electronic and on-line payment processing services in support of utility, parks and recreation and other public services of the municipality.**

Section 2. That Section 3.10.010 of the Highland Municipal Code be hereby amended to include a new subsection, to be styled **Section 3.10.010 (E)**, which shall read as follows:

(E) **Payments for any of the expenses described in this chapter may be made by electronic fund transfer, wire or automated clearing house, pursuant to HMC Chapter 3.25, provided this is authorized by the fiscal officer.**

Section 3. That this ordinance shall be effective from and after its passage and adoption as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 14th day of January 2019. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 14th Day of January 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5;IC 36-5-2-10.2)

2. **Proposed Ordinance No. 1694:** An Ordinance revising and Amending the Highland Municipal Code, Offering technical corrections or clarifications Particularly to Chapter 3.25 of the Municipal Code Regarding the Manner of Payments Made by the Municipality and its Utilities, as Authorized in IC 36-1-8-11, All Pursuant to IC 36-1-5 et seq. *(This amendment proposes to add language clarifying that the authorized manner of payments remain permissible unless the utility boards opt out and makes a specific correction to reflect the actual meaning and intent of the original amendment to the Code.)*

Councilor Herak introduced and moved the consideration of Ordinance No. 1694 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1694 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted considered at the same meeting of its introduction.

ORDINANCE No. 1694
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE REVISING AND AMENDING THE HIGHLAND MUNICIPAL CODE, OFFERING TECHNICAL CORRECTIONS OR CLARIFICATIONS PARTICULARLY TO CHAPTER 3.25 OF THE MUNICIPAL CODE REGARDING THE MANNER OF PAYMENTS MADE BY THE MUNICIPALITY AND ITS UTILITIES, AS AUTHORIZED IN IC 36-1-8-11, ALL PURSUANT TO IC 36-1-5 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances

WHEREAS, The legislative body of the this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The Town Council, is persuaded that it is necessary to make certain technical corrections to the current code of ordinances in order to further perfect the operation of the municipally and to advance the public interest; and

WHEREAS, The Indiana Code further provides under IC 36-1-4 for the general powers of units to provide for the operation of a government;

WHEREAS, The Indiana Code still further provides under IC 36-1-3 certain powers granted expressly by statute and powers deemed necessary or desirable in the conduct of municipal affairs;

WHEREAS, IC 36-1-8-11 outlines permissible methods of payment to the municipality and its utilities;

WHEREAS, The Town Council determines that certain technical corrections and enhancements to certain provisions of the Highland Code of Ordinances to be necessary or desirable in the conduct of municipal affairs and consistent with the laws of the state governing the operation of a government;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 3.25.050 (B) of the Highland Municipal Code be hereby deleted and repealed and be hereby amended by inserting the following replacement section, to be styled Section 3.25.050 (B), which shall read as follows:

Section 3.25.050 Authorized financial instruments for payments by the municipality.

(B) Payments may be made ~~to~~ by the municipality and its utilities for any lawful purpose by any of the following financial instruments that the board of the municipally owned utility **does not prohibit** ~~authorizes~~ for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Wire funds or automated clearing house (ACH).
- (8) Any other financial instrument authorized by the fiscal body

Section 2. That Section 3.25.050 of the Highland Municipal Code be hereby amended by adding a new subsection to be styled as Section 3.25.050 (C), which shall read as follows:

(C) That payments made by cash as authorized in subsections (A) and (B), shall be confined to payments made from a petty cash fund as authorized in this Code, subject to Indiana law and regulations of the external auditing agency.

Section 3. That this ordinance and shall take upon its passage and adoption.

Introduced and Filed on the 14th day of January 2019. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 14th Day of January 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Steve Wagner, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

3. **Resolution No. 2019-01:** A Resolution Of The Fiscal Body Of The Town Of Highland Approving And Fixing The Official Charges Or Fees For Information And Communication Technology Services Provided By The Municipality To Its Executive Departments And Offices And Accounted In The Information And Communication Technology Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2019-01. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND
Town Council Resolution No. 2019-01

A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND APPROVING AND FIXING THE OFFICIAL CHARGES OR FEES FOR INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES PROVIDED BY THE MUNICIPALITY TO ITS EXECUTIVE DEPARTMENTS AND OFFICES AND ACCOUNTED IN THE INFORMATION AND COMMUNICATION TECHNOLOGY FUND

WHEREAS, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

WHEREAS, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

WHEREAS, The Highland Town Council did adopt and establish an Information and Communication Technology Fund, by adoption of Ordinance No. 1323, amending the Highland Municipal Code by adding a new section § 31.08 (now codified as Section 3.45.110), which provides for an internal service fund as an accounting entity to which the resources and costs associated with providing information and communication technology services to the municipality will be accounted; and,

WHEREAS, Section 3.45.110 (F) (1) particularly provides that resources or revenue for these services supported by the internal service fund may consist of *“interdepartmental charges, contributions, cost shares or assessments levied against funds or departments of the municipality to support the lawful purposes and budget of the Information and Communication Technology Fund;”*

WHEREAS, Section 3.45.110 (F) (1) (a) still further provides that the *“charges and rates shall be developed and recommended by the proper officers of the municipality and fixed and approved by the Town Council”*;

WHEREAS, The proper officers of the municipality have developed and now recommend charges and rates for FY 2019 to support the costs associated with the provision of information and communication technology services to the municipality and its several executive departments and utilities; and,

WHEREAS, The Town Council now desires to fix and adopt the charges and rates as recommended,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the proper officer(s) of the municipality have developed and now recommend the following annual charge for services for the fiscal year 2019 as follows:

- (a) For information and communication technology services provided to the several departments reposed in the **Corporation General Fund**, the annual charge is allocated at 25% of costs or \$50,415.75;

(b) For information and communication technology services provided to the department reposed in the **Park and Recreation Fund**, the annual charge is allocated at 20% of costs or \$40,332.60;

(c) For information and communication technology services provided to the department reposed in the **Redevelopment General Fund**, the annual charge is allocated at 5% of costs or \$10,083.15;

(d) For information and communication technology services provided to the Waterworks Utility, the annual charge is allocated at 25% of costs or \$50,415.75;

(e) For information and communication technology services provided to the Wastewater/Stormwater Utility, the annual charge is allocated at 25% of costs or \$50,415.75;

Section 2. That the Town Council hereby finds and determines that the rates and charges as recommended are consistent with IC 36-1-3-8(a)(6), calculated to include reasonable costs associated with those purposes outlined in Section 3.45.110 (D) of the Highland Municipal Code;

Section 3. That the Town Council hereby now fixes and approves the annual rates and charges as set forth herein, and authorizes the municipal fiscal officer to take such lawful measures to charge and collect the fees herein, either as a single lump sum fee or collected periodically until fully collected, and then to deposit these charges into the **Information and Communication Technology Fund**;

DULY RESOLVED and ADOPTED this 14th Day of January 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steven Wager, President (IC 36-5-2-10)

ATTEST:

*/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)*

4. Resolution No. 2019-02: A Resolution Of The Fiscal Body Of The Town Of Highland Authorizing Sponsoring The Monthly Radio Show Broadcast On Radio Station WJOB Devoted To The Town Of Highland for 2019.

Councilor Herak moved the passage and adoption of Resolution No. 2019-02. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND
Town Council Resolution No. 2019-02**

A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND AUTHORIZING SPONSORING THE MONTHLY RADIO SHOW BROADCAST ON RADIO STATION WJOB DEVOTED TO THE TOWN OF HIGHLAND

WHEREAS, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

WHEREAS, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

WHEREAS, Section 2.35.030 of the Highland Municipal Code authorizes the Town Council to appropriate funds of the General Fund to pay the expenses incurred in promoting the best interests of the Town;

WHEREAS, The Town of Highland has supported a program broadcast on Radio Station WJOB once a month, in which the subject is the Town of Highland and matters of public interest and import regarding the Town are featured;

WHEREAS, The Town Council now desires to make findings and determinations necessary to support again authorizing the payment of the sponsorship fee to support the monthly program related to the Town of Highland,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Town Council hereby finds and determines that a monthly radio broadcast on WJOB devoted to news and information about the Town of Highland *promotes the best interests of the Town, may serve to develop relations with other units of government* and is a desirable activity of a civil or governmental nature;

Section 2. That the Highland Town Council hereby further finds and determines as follows:

(A) That the expense of two hundred dollars (\$200) per month to sponsor or support the broadcast of a monthly radio program on WJOB devoted to news and information about the Town of Highland is an expense that *promotes the best interests of the Town, may serve to develop relations with other units of government* and is an expense of a civil or governmental nature; and,

(B) That the expenses previously described are consistent with and pursuant to the authorization set forth in Section 2.35.030 of the Highland Municipal Code to wit:

§ 2.35.030 AUTHORITY OF TOWN COUNCIL TO REIMBURSE TOWN OFFICIALS FOR CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 3. That effective for the months of **January through December 2019**, the expense of **two hundred dollars (\$200)** per month is hereby authorized to support the sponsorship of the Radio program on WJOB devoted to the Town of Highland;

Section 4. That the proper officer is authorized to encumber funds from the proper account of the Corporation General Fund, payable to WJOB, for the period authorized in Section 3 of the is resolution;

Section 5. That the Clerk-Treasurer shall process all payments in accordance with the provisions of IC 5-11-10-1.6 and IC 36-5-4 et seq., as all other claims for payment of the Town.

DULY RESOLVED and ADOPTED this 14th Day of January 2019 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steven Wagner, President

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

- 5. Resolution No. 2019-03:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code for the Corporation Non-exempt Bond & Interest Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2019-03. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
RESOLUTION NO. 2019-03**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE FOR THE CORPORATION NON-EXEMPT BOND & INTEREST FUND.

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Corporation Non-Exempt Bond and Interest Fund** is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Municipal Cumulative Capital Development Fund** that can be temporarily transferred;

Now, **Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of **\$439,957.00** be borrowed for the **Corporation Non-Exempt Bond Fund** with the amount of **\$439,957.00** to be loaned by the **Municipal Cumulative Capital Development Fund**;

Section 2. That said loan in the amount of **\$439,957.00** be repaid to the **Municipal Cumulative Capital Development Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Non-Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2019, subject to IC 36-1-8-4(b).

Duly Passed and Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 14th day of January 2019. Having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/ Steven Wagner, President IC 36-5-2-10

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

6. **Resolution No. 2019-04:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code for the Sanitary District Non-exempt Bond & Interest Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2019-04. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND
RESOLUTION NO. 2019-04

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE FOR THE SANITARY DISTRICT BOND AND INTEREST EXEMPT FUND.

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Sanitary District Bond & Interest Exempt Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Rainy Day Fund** that can be temporarily transferred;

Now, **Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of **\$14,851.00** be borrowed for the **Sanitary District Bond and Interest Exempt Fund** with the amount of **\$47,396.00** to be loaned by the **Rainy Day Fund**, as authorized by HMC Section 3.45.180(B)(1);

Section 2. That said loan in the amount of **\$14,851.00** be repaid to the **Rainy Day Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Fund** with such loan to be repaid no later than December 31, 2019, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 14th day of January 2019. Having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

7. **Resolution No. 2019-05:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 for the Sanitary District Bond and Interest Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2019-05. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
RESOLUTION NO. 2019-05**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 FOR THE SANITARY DISTRICT BOND AND INTEREST FUND.

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Sanitary Non-Exempt District Bond & Interest Fund** is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Sanitary District Capital Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of **\$645,914.00** be borrowed for the **Sanitary District Non- Exempt Bond Fund** with the amount of **\$645,914.00** to be loaned by the **Sanitary District Capital Fund**;

Section 2. That said loan in the amount of **\$645,914.00** be repaid to the **Sanitary District Capital Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Sanitary District Non-Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2019, subject to IC 36-1-8-4(b).

Duly Passed and Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 14th day of January, 2019. Having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

8. **Resolution No. 2019-06:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code for the Waterworks District Bond and Interest Fund.

Councilor Herak moved the passage and adoption of Resolution No.2019-06. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
RESOLUTION NO. 2019-06**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE FOR THE WATERWORKS DISTRICT BOND AND INTEREST FUND.

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Waterworks Bond and Interest Fund** is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Rainy Day Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of \$77,254.00 be borrowed for the **Corporation Non- Exempt Bond Fund** with the amount of \$77,254.00 to be loaned by the **Rainy Day Fund**, as authorized by HMC Section 3.45.180(B)(1);

Section 2. That said loan in the amount of \$77,254.00 be repaid to the **Rainy Day Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Waterworks Bond and Interest Fund** with such loan to be repaid no later than December 31, 2019, subject to IC 36-1-8-4(b).

Duly Passed and Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 14th day of January, 2019. Having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

9. **Works Board Order No. 2019-01: An Order Authorizing and Approving An agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality.**

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2019-01. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**The Town of Highland
Board of Works
Order of the Works Board No. 2019-01**

AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide greater information to the public regarding the operations and services of the municipality;

Whereas, The Town has heretofore determined that a need exists to engage professional communications and media design and development services to assist and support the provision of greater information to the public regarding the operations and services of the municipality;

Whereas, Robin A. Carlascio and Theresa K. Badovich, d.b.a The *Idea Factory*, a media development and design, communication consulting alliance, has proposed to provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter;

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1; and

Whereas, The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section 3.05.090; and

Whereas, There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the agreement (incorporated by reference and made a part of this Order) between **Robin A. Carlascio** and **Theresa K. Badovich** doing business as the **Idea Factory**, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning **1 January 2019 through to 31 December 2019** as described herein is hereby approved, adopted and ratified in each and every respect;

Section 2. That the charges under the agreement for the services, in the amount of **\$1,838.55 per issue**, or **\$459.64** per page, which include publishing and coordinating a monthly newsletter to be distributed as an insert in the monthly utility invoice and other related services; stock images or illustrations at **\$50** per image or illustration, custom photography or graphics at **\$100** per image or graphic, and website maintenance and services in the amount of **\$131.33 per week** are found to be reasonable and fair, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the municipal code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid to **The Idea Factory**, after presentation of an invoice for services, following their delivery;

Section 4. That the Town Council President be authorized to execute this agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer;

Section 5. That the Town Council President must approve a preliminary edition of the newsletter at least two weeks prior to publication.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of January 2019 having passed by a vote of 5 in favor and 0 opposed.

WORKS BOARD of the TOWN of
HIGHLAND, INDIANA
/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

AGREEMENT

This Agreement made and entered into this 14th day of January 2019, by and between the **TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as the "Town"), and **ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY** (hereinafter referred to as "Idea Factory").

WITNESSETH THAT:

WHEREAS, The Town is interested engaging the services of Idea Factory for publishing and coordinating a monthly newsletter (Gazebo Express) to be distributed throughout the Town; and

WHEREAS, Idea Factory is interested in entering into such an agreement and engaging its services to publish and coordinate a monthly newsletter within the Town; and

WHEREAS, The parties wish to reduce their agreement to writing;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is agreed as follows:

1. Idea Factory agrees to publish and coordinate a monthly newsletter (Gazebo Express) to be distributed in the Town of Highland.

2. The term of this Agreement shall be for one (1) year beginning **January 1, 2019**, through **December 31, 2019**. This Agreement may be renewed by the Town of Highland from year to year based upon approval of the renewal term by the Town at the beginning of each fiscal year.

3. Idea Factory shall be paid for its services rendered pursuant to this Agreement, the sum of **\$1,838.55** per issue or **\$459.64** per page stock images or illustrations at **\$50** per image or illustration, custom photography or graphics at **\$100** per image or graphic, **as well as the website maintenance fee of \$131.33 per week** and the monthly fees shall be payable to The Idea Factory at its business address, **1 Courthouse Square, Suite 207, Crown Point, Indiana 46307**.

4. This Agreement may be cancelled by either party upon such party providing the other party thirty (30) days written notice.

5. In the event the Town's appropriations are insufficient to pay the expenses of this Agreement, and upon thirty (30) days written notice being given by the Town to Idea Factory, this Agreement shall become null and void.

6. This Agreement shall be governed by the laws of the State of Indiana and shall be binding upon the parties' heirs, legal representatives, successors, and assigns.

7. That the Town Council President must approve a preliminary edition of the newsletter at least two ~~weeks~~ day prior to publication.

IN WITNESS WHEREOF, this Agreement has been entered into between the parties this 14th day January 2019.

TOWN OF HIGHLAND

THE IDEA FACTORY

By: _____
Town Council President

Robin Carlascio

Attest: _____
Michael W. Griffin
Clerk-Treasurer

Theresa Badovich

This instrument prepared by: Rhett L. Tauber, Esq.
Tauber Westland & Bennett P.C.
1415 Eagle Ridge Drive
Schererville, Indiana 46375
(219) 865-8400

10. Works Board Order No. 2019-02: An Order Authorizing and Approving An agreement between CBL Consulting, Incorporated and the Town of Highland to perform Professional Information Technology services for the Municipality.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2019-02. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**The Town of Highland
Board of Works
Order of the Works Board No. 2019-02**

An Order Authorizing and Approving An agreement between CBL Consulting, Incorporated and the Town of Highland to perform Professional Information Technology services for the Municipality

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide information technology support services throughout the Town;

Whereas, The Town has heretofore determined that a need exists to engage professional information technology services associated with support of the several software applications and certain hardware used by the several departments of the Town; and

Whereas, CBL Consulting, Inc, an information technology firm, has consented to provide professional services related to certain support needs related to the information technology of the several departments of the municipality; and

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1 and Section 3.05.090 of the Municipal Code; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to accept and approve the agreement for services as herein described,

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the letter proposal serving as an agreement (incorporated by reference and made a part of this Order) between CBL Consulting Incorporated, and the Town of Highland, to provide professional information technology support services for the period beginning *1 January 2019 through to 31 December 2019* as described in the letter proposal from 2018 is hereby approved, adopted and ratified in each respect, with the following exceptions:

- (A) That regardless the billing frequency, payments will be made once each month in the amount described in the letter proposal;
- (B) That only those provisions that are consistent with Federal or State law will be binding upon the parties;
- (C) That there shall be no reselling of materials or supplies by CBL to the Town of Highland, unless the single purchase is not greater than \$500 and the total purchase is \$1,000 or less;

Section 2. That the charges under the agreement for the services, which include functioning as the Town of Highland information technology director by performing routine and necessary maintenance on equipment identified in the letter proposal, perform data protection services for the town information work product, providing technical consulting, and other related service are found to be reasonable, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the Municipal Code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid as a monthly fee to CBL Consulting, Inc., in the monthly amount of Four thousand dollars (\$4,000), a 0% increase over the 2018s;

Section 4. That the executive departments of municipality may use the services according to the terms of the agreement;

Section 5. That, notwithstanding any provision in the letter offer, the Town of Highland through its Town Council reserves its discretion and authority provided under IC 5-22-17-5;

Section 6. That the Town Council President be authorized to execute any agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of January 2019 having passed by a vote of 5 in favor and 0 opposed.

WORKS BOARD of the TOWN of
HIGHLAND, INDIANA

/s/Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

11. **Works Board Order No. 2019-03:** An Order Approving and Authorizing A Memorandum of Understanding Between the Town of Highland, Through its Police Department and the Town of Munster, Through its Police Department, Regarding Use of Highland's Animal Control Facilities by the Town of Munster Police Department for Housing of Animals.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2019-03. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2019-03

AN ORDER APPROVING AND AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HIGHLAND, THROUGH ITS POLICE DEPARTMENT AND THE TOWN OF MUNSTER, THROUGH ITS POLICE DEPARTMENT, REGARDING USE OF HIGHLAND'S ANIMAL

CONTROL FACILITIES BY THE TOWN OF MUNSTER POLICE DEPARTMENT FOR HOUSING OF ANIMALS.

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), been Advised that the Town Board of Metropolitan Police Commissioners has recommended approval of a memorandum of Understanding to support the use by the Town of Munster Police Department of the Town of Highland Police Department's Animal Control Facility;

Whereas, The Operation and Maintenance of an Animal Care Facility and enforcement of humane law and animal control ordinances are powers expressly conferred under IC 36-8-2-6;

Whereas, The authority to contract or approve a memorandum of understanding between and by the Town of Highland Police Department and Town of Munster Police Department, is reposed in the Town Council, pursuant to IC 36-1-4 et seq. and IC 36-8-9 et seq.;

Whereas, That memorandum of Understanding to support the use by the Town of Munster Police Department of the Town of Highland Police Department's Animal Control Facility has been prepared and presented to the Town Council following its review and recommendation for approval by the Town Board of Metropolitan Police Commissioners;

Whereas, The Town of Highland, through its Town Council acting as the Works Board, now desires to accept and approve the memorandum of Understanding to support the use by the Town of Munster Police Department of the Town of Highland Police Department's Animal Control Facility as herein described,

Now Therefore Be it hereby ordered and resolved by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana:

Section 1. That the memorandum of Understanding (MOU) to support the use by the Town of Munster Police Department of the Town of Highland Police Department's Animal Control Facility presented to the Town Council following its review and recommendation for approval by the Town Board of Metropolitan Police Commissioners is hereby approved, adopted, and ratified in each and every respect;

Section 2. That the terms and fees for services set forth under the MOU for lodging animals by the Town of Munster Police Department above three (3) animals of twenty five dollars (\$25) per day per animal lodged are found to be *reasonable and not greater than that reasonably related to reasonable and just rates and charges for service*;

Section 3. That the Police Chief of the Town of Highland Police Department is hereby authorized to execute the memorandum of understanding, once signed by the Police Chief of the Town of Munster Police Department, one original of the MOU be filed with the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of January 2019 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Memorandum of Understanding on file

12. Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance. *Operations Director recommends the following:*

(A) *The hiring of Leah Podgorny, to the full-time position of Dispatch Clerk in Public Works Department (Agency) at a rate of pay of \$16.87 per hour. This will not increase the full-time workforce greater than the authorized work force strength. The position is vacant owing to the promotion of Kim Webb.*

Councilor Vassar moved to authorize the hiring and appointment of Leah Podgorny to the full-time position of Dispatch Clerk in the Public Works Department (Agency).

Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Leah Podgorny was appointed and hired.

13. **Commendation Letter for Day Off and Signature Authorization.** Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for several workers in the **Metropolitan Police Department**. Pursuant to **Section 4.13** of the Compensation and Benefits Ordinance, for the paid day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to several letters of commendation regarding several employees who have worked six (6) months without calling off sick and without experiencing an "at fault accident". Action should include approval for the members of the Town Council to sign the letters of commendation. *The Police Chief and the Town Board of Metropolitan Police Commissioners are asking for approval of a letter of commendation for six months of work without calling off and not having an at-fault accident for the following:*

*Assistant Chief Pat Vassar
Commander Ralph Potesta
Commander John Banasiak
Sergeant John Siple
Sergeant Randall Stewart
Corporal Brain Stanley
Corporal Michael Yonkman
Corporal David Byers
Corporal Brandon Norris
Corporal Erich Swisher
Corporal Jason Hildenbrand
Lance Corporal Greg Palmer*

*Officer Richard Hoffman
Officer Daniel Matusik
Officer Lee Natelborg
Officer Darren Conley
Officer Anthony Kowal
Officer Frank Peckler
Officer Nicholas Vanni
Officer Andrew Germonprez
Officer Joel Sullivan
Officer Thomas Manyek
Officer Tyler Dills
Officer James Mullins*

Councilor Herak moved that letters of commendation for exemplary public service as characterized be approved for all the persons named except for Assistant Chief Vassar and that the Town Council members be authorized to sign severally and singularly. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The letters of commendation for the persons identified except Assistant Chief Vassar were approved and the Council members authorized to sign.

Councilor Herak moved that a letter of commendation for exemplary public service as characterized be approved for Assistant Chief Vassar and Chief Hojnicky (*noting that he was not listed in the original letter*) and that the Town Council members be authorized to sign severally and singularly the letter of commendation. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Kuiper and Wagner voting in the affirmative and Councilor Vassar abstaining, the motion passed. The letter of commendation for Assistant Chief Vassar and Chief Hojnicky were approved and the Council members authorized to sign.

14. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$141,498** in the **Unsafe Building Fund**, in the amount of **\$7,000** in the **General Improvement Fund**, in the amount of **\$40,000** in the **Municipal Cumulative Street Fund**, in the amount of **\$80,000** in the **Gaming Revenue Sharing Fund**, and in the amount of **\$920** in the **Indiana Bicentennial Legacy Project Fund**.

Councilor Herak moved to authorize the proper officer to publish legal notice of a public hearing as indicated. Councilor Vassar seconded. Upon a roll call vote, there

were five affirmatives and no negatives. The motion passed. The proper officer was authorized to publish legal notice as indicated.

Comments or Remarks from the Town Council:
(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison • Liaison to the Board of Waterworks Directors • Liaison to the Community Events Commission.*

Councilor Zemen acknowledged the Building Commissioner who offered a survey of matters being considered by the Plan Commission.

Councilor Zemen acknowledged the Redevelopment Director who reported on business development underway.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak expressed condolences to the Public Works Director on the passing of his mother in law.

Councilor Herak noted the strict prohibition on street parking in town following a snowfall of 1 inch or more.

Councilor Herak acknowledged the Operations Director who offered a brief report on the readiness of the Public Works Department (Agency) to deal with snow plowing for the forecasted snowfall.

Councilor Herak acknowledged the Police Chief who thanked the Town Council for adding him to the approved list of exemplary public service and earning a paid day off.

- **Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar expressed condolences to the Public Works Director on the passing of his mother in law.

Councilor Vassar acknowledged the Parks and Recreation Superintendent who reported on parks and recreation programming.

- **Councilor Konnie Kuiper:** *• Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who reported on recent incident responses by the Fire Service.

Councilor Kuiper also expressed condolences to Officer Sean Anderson on the loss of his grandfather.

- **Councilor President Steve Wagner:** *Town Executive • Chair of the Board of Police Pension Trustees • Advisory Board of Zoning Appeals Liaison.*

Councilor President Wagner thanked the Town Council for electing him as President for 2019.

The Council President acknowledged the Building Commissioner who offered a survey of matters pending before the Advisory Board of Zoning Appeals.

Comments from Visitors or Residents:

1. Elijah Aurand, 9315 Farmer Drive, Highland, noted that the Town website showed Councilor Vassar as Town Council President for most of 2018. He asked that the Town Council be cautious about the Idea Factory in terms of its service delivery.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period December 27, 2018 through January 14, 2019. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$293,416.34; Motor Vehicle Highway and Street (MVH) Fund, \$33,625.09; Law Enforcement Continuing Education and Training and Supply Fund, \$169.36; Corporation Bond and Interest Fund, \$216,426.00; Flexible Spending Accounts Agency Fund, \$949.22; Insurance Agency Fund, \$181,992.53; Information Communications Technology Fund, \$8,251.79; Civil Donation Fund, \$785.50; Special Events Non Reverting Fund, \$2,800.00; Municipal Cumulative Capital Development Fund, \$1,892.86; Traffic Violations and Law Enforcement Agency Fund, \$9,000.00; Total: \$749,308.69.

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Zemen seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, January 14, 2019 was adjourned at 8:05 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

Approved by the Town Council at its meeting of _____, 2019.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer